

REMARKS

Applicants request correction in the title of the present application.

After entering the above amendments, claims 1-19 will be pending, with claims 1, 7, and 18 being independent. Claims 1, 15, and 18 have been amended and claim 19 has been added. No new matter has been added. Reconsideration and allowance of the current application are requested.

Rejection under § 112

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 15 recites the limitation “the second portal content component” in line 3. This rejection is traversed.

Claim 15 has been amended to recite “a second portal content component (emphasis added),” to clarify the claim. Thus, this rejection is moot.

Rejections under §§ 102, 103

Claims 1-3, 6, and 18 are rejected under section 102(b) as allegedly being anticipated by Patterson et al. (U.S. Patent Application Publication Number 200210053023; "Patterson"). Claims 4-5 and 16-17 are rejected under section 103(a) as allegedly being unpatentable over Patterson as applied to claim 1, and further in view of Busboom et al. (U.S. Patent Application Publication 2006/0053296; “Busboom”). Claims 7-15 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Patterson and further in view of Busboom. These rejections are traversed.

The claims are patentable because Busboom is not prior art and Patterson does not disclose features of the claims.

Busboom is Not Prior Art

The rejections with regards to Busboom are improper as Busboom is not prior art. In particular, the Busboom reference was filed after the present application and, if even if Busboom is entitled to an earlier effective date, the earliest possible effective date is after invention of the present application. Thus, the rejections of claims 4-5 and 7-17 should be withdrawn.

The cited Busboom reference is not prior art as it was filed March 18, 2005, nearly 2 years after the filing of the present application, June 27, 2003. Thus, the cited reference is not proper art under any portion of section 102.

Even were Busboom entitled to an earlier effective date, the earliest possible effective date is May 23, 2003, which is later than an earlier conception and reduction to practice of the present application, which is evidenced as being as early as April 2003. Busboom claims priority to a May 23, 2003 PCT application filing date. Although the PCT application Busboom also claims priority to an earlier EP filed application, that application is not prior art under section 102. For example, under section 102(e) it is not prior art because the EP application is not “an international application filed under the treaty defined in section 351(a).” See §102(e)(2).

The PCT application is not prior art as it was not “filed in the United States before the invention by the applicant for patent” because the current application was invented at least one month prior to the PCT filing date of May 23, 2003. See §102(e)(2). In accordance with 37 C.F.R. 1.131, an affidavit of the inventor, Kai O. Ullrich, swearing to an earlier date is submitted herewith. In addition to the affidavit, an electronic document written and signed by the inventor is further evidence of the earlier date and is also submitted. Thus, Busboom is not prior art and the rejection of claims 4-5 and 7-17 should be withdrawn.

Patterson does not anticipate the claims

Patterson does not anticipate claims 1-3, 6, and 18 because Patterson does not disclose determining whether a user has satisfied an authentication requirement for a portal content component where at least two portal content components have different authentication requirements.

Patterson discloses a cache for validating certificates. Col. 1, lines 65-67 A certificate is removed from an email, compared against a copy of a certificate in a cache, and, if a certificate is not in cache, a public repository is contacted to determine if the certificate is valid. Col. 6, lines 8-42. However, in Patterson, validity checks do not involve determining whether a user has satisfied an authentication requirement for a portal content component, where at least two portal content components have different authentication requirements. In Patterson, there is only one type of validity check and that check provides results of valid, revoked, or unknown. Col. 8, lines 7-8.

As amended, independent claims 1 and 18 include a feature directed to determining whether a user has satisfied an authentication requirement for a portal content component, where at least two portal content components have different authentication requirements. For example, claim 1 recites, in part, “determining whether [a] user has satisfied a previous authentication requirement for

the portal that is equal to or greater than an authentication requirement for the portal content component, wherein the portal content component is one of a plurality of portal content components and at least two of the portal content components have different authentication requirements.”

Advantageously, in some implementations of the independent claims, different authentication requirements may be used such that some portal content may have weaker or stronger authentication requirements than other content. See generally 0032. Also, different weights may be assigned to different authentication schemes such that users may gain access to portal content based on a weight of an authentication scheme previously authorized for a user. 0024.

As Patterson does not disclose determining whether a user has satisfied an authentication requirement for a portal content component, where at least two portal content components have different authentication requirements, Patterson does not anticipate the independent claims 1 and 18. Thus, the rejection of these claims should be withdrawn.

As claims 2-3 and 6 depend on independent claim 1, these claims are also allowable for at least the reasons given above.

CONCLUSION

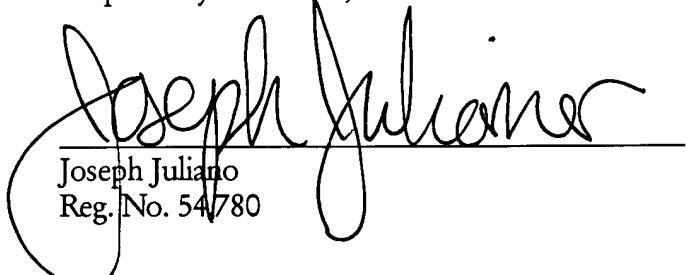
It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

On the basis of the foregoing amendments, Applicants respectfully submit that the pending claims are in condition for allowance. Applicant is concurrently filing herewith a Petition for a two month extension of time with the requisite fee. Enclosed herewith is a check for \$450.00 to reply the previous office action. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-079-UTL. In addition, please change the attorney docket number for this matter to: 34874-079/2003P00155 US and please update the application information to indicate the title, as filed, "Improved Authentication Scheme System and Method".

Respectfully submitted,

Date: _____

11/20/06



Joseph Julianio
Reg. No. 54780

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
9255 Towne Centre Drive, Suite 600
San Diego, CA 92121
Customer No. 64280
Tel.: 858/320-3031
Fax: 858/320-3001